

#### **IV. Remarks and Conclusion**

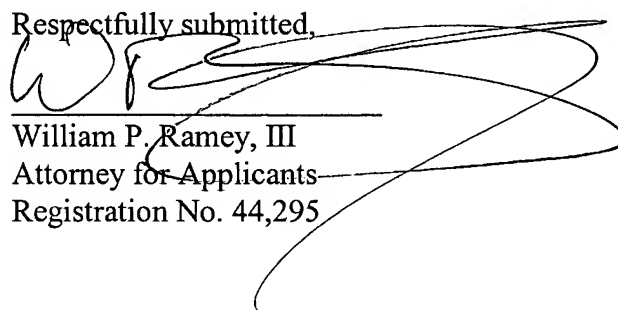
Applicants respectfully request the granting of a filing date for this divisional application and entry of the accompanying preliminary amendment. The preliminary amendment was made to elect Group I from the parent case. The amendments to the claims and the specification were not made for reasons of patentability under 35 U.S.C. §§ 101, 102, 103 and/or 112. No estoppel should result from the amendments. Additionally, Applicants elect a species of benzyl  $\beta$ -alaninate or a salt thereof. Such election is made in conformance with the restriction requirement made in the parent case, US application no. 10/199,805.

Applicants hereby request transfer of the previously filed identical Computer Readable Form.

The paper copy of the sequence listing in this application is identical to the computer readable copy of the sequence listing filed in application serial number 10/199,805, filed on July 19, 2002. In accordance with 37 CFR 1.821(e), please use the last filed Computer Readable Form, filed on February 25, 2003, filed in that application as the Computer Readable Form for the instant application. It is understood that the patent and trademark office will make the necessary change in the application number and filing date for the instant application. A paper or compact disk copy of the sequence listing is included in the originally filed specification of the instant application.

Should the Examiner have any questions, Applicants respectfully invite the Examiner to contact the Applicants' attorney, William P. Ramey, III, at 302-933-4034. The application is believed in a condition for allowance and such action is respectfully requested. The Commissioner is hereby authorized to charge any required fees and to credit any credits to deposit account no. 02-2334.

Respectfully submitted,



William P. Ramey, III  
Attorney for Applicants  
Registration No. 44,295

Akzo Nobel Pharma Patent Department  
405 State Street  
P.O. Box 318  
Millsboro, DE 19966  
Tel: (302) 933-4034  
Fax: (302) 934-4305